

Federal Defenders
OF NEW YORK, INC.

Eastern District
One Pierrepont Plaza-16th Floor, Brooklyn, NY 11201
Tel: (718) 330-1200 Fax: (718) 855-0760

David E. Patton
*Executive Director and
Attorney-in-Chief*

Eastern District
Peter Kirchheimer
Attorney-in-Charge

July 16, 2012

The Honorable Nina Gershon
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, N.Y. 11201

U.S.A. v. Calvin Bacote, 91 CR 0173 (NG)

Your Honor:

Nobody can deny that my client, Mr. Calvin Bacote, has a serious record, having spent more than 16 of the last 21 years in custody. Nor can anyone deny that felons, especially ones who have spent a long time away, have trouble finding jobs. Most would agree, we hope, that such a felon's efforts at acquiring skills and finding employment are commendable. In the last half year, since his release from custody, Mr. Bacote has made precisely such efforts. His accomplishments are impressive in light of his record, and maintaining his gains are especially important because of his record. In determining the appropriate sentence for his violation of supervised release, the Court should weigh Mr. Bacote's recent progress, which shows not only that he is obtaining "needed educational or vocational training . . . in the most effective manner," 18 U.S.C. §3553(a)(2)(D), but also that a continuation of his most recent trajectory best "protect[s] the public from further crimes of the defendant" 18 U.S.C. 3553(a)(2)(C)).

This submission attaches documentation showing that Mr. Bacote has worked at improving himself earnestly, methodically and humbly. His resume, prepared neatly and carefully, shows goals that are modest and realistic, namely to become a building maintenance worker (see Ex. A). Upon his release from custody in January, Mr. Bacote began working part-time as a custodian at the James Varick Community Center, Inc. ("JVCC")(Ex. B). According to Mr. Charles Moody, JVCC's Events Coordinator and Facilities Manager, Mr. Bacote began as a "temporary employee" and provided such "superior workmanship" that the Center began regularly hiring him to help out for special events and on weekends (id.). While looking for and working at the jobs that we describe below, Mr. Bacote has continued to work at the JVCC on a standby basis (usually one shift per

week) and also volunteers (Ex. B [“In this past month he has volunteered his service and experience in janitorial skills” – at least three hours per week – “to aid in the stripping, waxing and buffing of our entire daycare facilities.”])).

While working part-time, Mr. Bacote began participating in a transition program for releasees, Exodus Transitional Community, Inc. (“Exodus”), to which The Probation Department had referred him (Exs. C, F). He completed the employment program and signed up for the mentoring and employment development program at the Abyssinian Church and for apprentice maintenance work at Brooklyn Works (Ex. D). In addition, since late April he has spoken by phone weekly with Ms. Brittany Larson, an intern in the new Social Work Department of our office, about managing his obligations, coordinating his various commitments, and structuring his time.

On a friend’s recommendation, Mr. Bacote applied to an Apprenticeship Training program with the International Union of Operating Engineers (Ex. E). While the program did not accept him, his answers on the application illustrate his seriousness of purpose. In explaining his motivation for applying, he wrote: “I heard how the program has helped other people in the past, I believe it can help me as well.” (Id.) In describing his qualifications, he noted: “If I don’t know something, I’m quick to learn.” (Id.) In expressing his feelings toward shift work and weekend work, he stated:

I’m flexible [sic]. I can ajust [sic] to meet my work requirements.
Work comes first.

(Id.)

Reflecting his flexibility and striving, Mr. Bacote began a part-time job in mid-May selling cars for “Route One Luxury Autos” on a commissions basis (Exs. G, H). Because of the uncertainty of working for commissions, he succeeded in turning the position into one for a salary (Ex. H). While continuing at “Route One,” Mr. Bacote also began another part-time job several weeks ago, namely, as a wholesale car dealer at “Underdogs on Top, Inc.” (Exs. I, J [“His duties consist of accompanying {his employer} to various auction sites, selecting and bidding on auctioned vehicles, driving the vehicles to our sales site and seeking sales for the purchased vehicles.”])).

In addition to his systematic and successful efforts at finding employment, Mr. Bacote has devoted time, during his last year in custody and since then, writing an autobiography. He does not wear this project on his shirt sleeve. In fact, at first he never even mentioned it to us. He has worked on it in his spare time, not letting it interfere with his primary obligations – his employment searches, part-time jobs, and volunteer work. While we are in no position to evaluate its quality, we can represent that it is approximately 250 pages (see generally Ex. K). Dr. Jermel Mosley-Isaac, who has helped edit the manuscript, thinks Mr. Bacote “has demonstrated great patience and teachability.” (Id.) We think that Mr. Bacote’s undertaking something of this magnitude shows his ability to concentrate, sustain a project, and work toward a long-term goal.

Whatever the significance of his literary efforts, Mr. Bacote's various supervisors and employers have praised his recent accomplishments.

His Exodus case manager, Mr. Rafael Romero, wrote that Mr. Bacote "has made enormous progress, he is making his transition very well" (Ex. F.)

Mr. Moody from JVCC wrote:

Mr. Bacote appears to have been very humbled working at the [C]enter. . . . From the day I met Mr. Bacote up to this very day [July 5], I've seen great strides in his advancement. He seems to be very conscious of his goals in life. He often states that he finds that he likes helping people.

(Ex. B.)

One present employer, Mr. Joseph Baker, wrote:

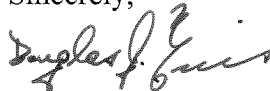
Mr. Bacote has displayed good work ethics, professional mannerism and excellent interpersonal skills. He is very attentive to client needs and has advanced at an accelerated pace.

(Ex. H.)

His other present employer, Mr. Gary Stewart, has noted his "workmanship and professionalism." (Ex. J.)

In short, since his release from incarceration more than six months ago, Mr. Bacote has worked hard at earning a living, achieving stability, and participating in a larger community. We ask the Court to consider these accomplishments as grounds for not returning him to jail.

Sincerely,



Douglas G. Morris
Assistant Federal Defender
(718) 330-1209

cc: Assistant U.S. Attorney Darren Laverne
U.S. Probation Officer Javier G. Enciso
Clerk of the Court
Mr. Calvin Bacote

EXHIBIT A

CALVIN BACOTE

25A Earhart Lane
Bronx, NY 10475

347-957-3330
Ckb718@aol.com

OBJECTIVE: To obtain a position as a *Building Maintenance Worker*

PROFESSIONAL SUMMARY:

Over ten (10) years of combined experience keeping buildings in a clean and orderly condition by performing duties including heavy cleaning, removing rubbish, and operating various types of equipment.

KNOWLEDGE, SKILLS AND ABILITIES:

Custodial Work

- Service, clean, or supply restrooms.
- Gather and empty trash.
- Clean building floors by sweeping, mopping, scrubbing, or vacuuming.
- Follow procedures for the use of chemical cleaners and power equipment to prevent damage to floors and fixtures.
- Mix water and detergents or acids in containers to prepare cleaning solutions, according to specifications.
- Strip, seal, finish, and polish floors.
- Requisition supplies or equipment needed for cleaning and maintenance duties.
- Clean windows, glass partitions, or mirrors, using soapy water or other cleaners, sponges, or squeegees.

Drywall Installation

- Spread sealing compound between boards or panels or over cracks, holes, nail heads, or screw heads, using trowels, broad-knives, or spatulas.
- Press paper tape over joints to embed tape into sealing compound and to seal joints.
- Mix sealing compounds by hand or with portable electric mixers.
- Spread and smooth cementing material over tape, using trowels or floating machines to blend joints with wall surfaces.
- Seal joints between plasterboard or other wallboard to prepare wall surfaces for painting or papering.
- Sand or patch nicks or cracks in plasterboard or wallboard.
- Use mechanical applicators that spread compounds and embed tape in one operation.
- Apply additional coats to fill in holes and make surfaces smooth.
- Install metal molding at wall corners to secure wallboard.

Warehouse Worker

- Receive and count stock items, and record data manually or using computer.
- Pack and unpack items to be stocked on shelves in stockrooms, warehouses, or storage yards.
- Verify inventory computations by comparing them to physical counts of stock, and investigate discrepancies or adjust errors.
- Mark stock items using identification tags, stamps, electric marking tools, or other labeling equipment.
- Determine proper storage methods, identification, and stock location based on turnover, environmental factors, and physical capabilities of facilities.
- Keep records on the use and/or damage of stock or stock handling equipment.
- Examine and inspect stock items for wear or defects, reporting any damage to supervisors.

RELEVANT EXPERIENCE:

Janitor	James Varick Community Center New York, NY	2012 – Present
Forklift Operator	UNICOR, Inc. Estill, SC	1999 – 2000

TRAINING AND EDUCATION:

2011 Occupational Safety and Health Administration, New York, NY
Certification: Construction Safety and Health

2000 Department of Education, Estill, SC
High School Equivalency Diploma

EXHIBIT B

James Varick Community Center, Inc.
151-7 West 136 Street
New York, NY 10030
212.368.5100

Dr. Gregory Robeson Smith, Board Chairman

July 5, 2012

To the Honorable Judge _____:

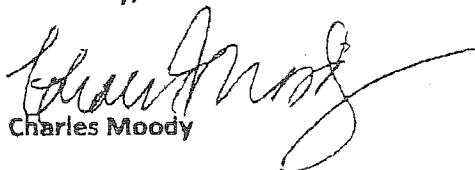
Here at the James Varick Community Center we take pride in providing a safe haven for the community and aid to those in need. As of January 2012 upon the release of Mr. Bacote from federal prison we have received him with open arms, providing him an opportunity to thrive as a productive citizen within our community. The center consists of a church, a Junior church, a daycare and various event spaces used to hold community activities for inner youth. Initially Mr. Bacote came to the community center to work as a temporary employee under my supervision.

As a result of Mr. Bacote's superior workmanship we have requested his return to work at the center on many occasions within the past 6 months. Although the salary is not ample, Due to our tight budget I was able to employ Mr. Bacote on the weekends working from 5pm to 7am. The center rents various spaces for events in which we hire Mr. Bacote at the rate of \$100.00 to \$150.00 per Dlem.

Mr. Bacote has not only shown an immense desire to work, he has been diligent in his efforts to partake in volunteer services. In this past month he has volunteered his service and experience in janitorial skills to aid in the stripping, waxing and buffing of our entire daycare facilities. Mr. Bacote has shown up at least 3 hours during the week to carry out those voluntary services. This is an act of a man who has and is willing to transform his life.

Mr. Bacote appears to have been very humbled working at the center. This experience has been very therapeutic to his transition in restoring his life in a positive and productive manner. From the day I met Mr. Bacote up to this very day, I've seen great strides in his advancement. He seems to be very conscious of his goals in life. He often states that he finds that he likes helping people. He wants to interact more with the youth here at the center by giving his advice and helping them learn from his mistakes. Mr. Bacote's past is not ideal but I believe that if he continues to stay the course in this renewed life and accepts the blessings that he's been given, I'm certain he will be a success story.

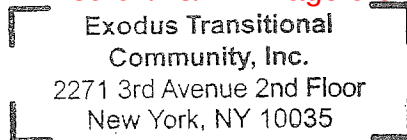
Sincerely,



Charles Moody

Events Coordinator and Facilities Manager

EXHIBIT C



Confirmation of Participation

Date: 2-21-12Referral Agency: Parole/Fed.
Attention: Mr Encico/JavierRe: To whom it may Concern
From: Abdullah Quddus, Office Manager

This letter is to inform you that Calvin Bacote has been accepted into Exodus Transitional Community, Inc. (ETC) for transitional services and assistance. ETC is a faith-based, non-profit organization that provides an array of services to assist men and women in their transition from incarceration.

INTERVENTION	DAY	DATE	TIME
<input checked="" type="checkbox"/> Orientation	Friday	<u>3-2-12</u>	9:00 - 11:00am
<input checked="" type="checkbox"/> Wilderness/Employment Program	Week #1 Monday - Friday	<u>3-5-12 to 3-9-12</u>	9:00 - 3:00pm
<input type="checkbox"/> Wilderness/Employment Program	Week #2 Monday - Thursday		9:00 - 3:00pm
<input type="checkbox"/> Anger Management	Tues		5:45 - 8:00pm
<input type="checkbox"/> Substance	Friday		5:45 - 8:00pm
<input type="checkbox"/> Fatherhood	Wednesday		6:00 - 8:00pm
<input type="checkbox"/> Life Coaching/ Mentoring	Thursday		6:00 - 8:00pm
<input type="checkbox"/> Womens Support Group	Monday		5:45 - 8:00 p.m.

Requirements

1. For all programs participants are required to arrive on time and be prepared to engage in an interactive session for the duration of each group. A fifteen minute grace period is given to all participants.
2. Attendance will be taken at the end of each group and cell phones must be placed on vibrate.
4. Facilitators have no control of placement of candidates into any of the groups. If you suspect that you were placed in any of the above groups in error, you must take it up with your agency.

By signing below you are confirming that you have read and are aware of the start date(s), time and location of your assigned group(s), and of the rules and requirements.

Participant: Calvin Bacote X
Staff Member: Abdullah QuddusDate: 2-21-12
Date: 2-21-12Tel. 917.492.0990 2271 3rd Avenue
Fax. 212.722.6669 New York, NY 10035 www.etcny.org

Executive Staff: Julio Medina, M. Div. Executive Director | Diana Ortiz, Associate Director

Board of Directors: Rev. Dr. Lonnie McLeod, President Emeritus | David Hobert, Chairperson | Robert Hall, Treasurer | Marion Farrell, Secretary
Wayne Atwell | Shannon Bell | Bard E. Bunaes | Cynthia Fincher | Tyresse Home Esq. | Dr. Carl Mazza D.S.W.
Elisabeth Morse | Felipe Vargas |

Program Services

Our program services satisfy most of the mandates established by the New York State Division of Parole:

Re-Thinking Re-Entry: This is a 12 session course centered on cognitive thinking and behavioral change. The course provides participants with the mental tools needed to overcome barriers to positive thinking and helps to foster behavioral change.

From Programs to Payroll: This is a 12 session workshop series designed to introduce and prepare participants for the world of employment, job searching and job retention.

The Anger Management/Domestic Violence Program: This is a 12 week program designed specifically to help participants manage anger, as well as recognize and change violent tendencies within themselves.

The Addictive Personality Program: This is a 12 week program that is intended to educate participants with recognized drug and alcohol problems. It focuses on risk reduction techniques, while also encouraging participants to understand the motivation that underlies their addictive behavior.

Urban Dads Parenthood Program: This is a 12 week parenting support group focused on providing formerly incarcerated fathers with the information, practical methods, peer support and community resources needed to become more "involved" fathers.

Recognized Leader in the Field

The success of our model has led to Exodus becoming the signature program for the White House faith-based re-entry initiatives. In fact, our Executive Director Julio Medina was First Lady Laura Bush's guest at the 2004 State of the Union Address when President Bush announced the \$300 million Prisoner Re-entry Initiative.



How You Can Help

Refer a Relative, Friend, or Client to us:
We have a walk-in policy. Our office is open daily from 8:45 a.m. to 4:45 p.m. Our weekly program orientation and enrollment is held every Friday at 9:00 a.m.

Hire our Participants:
If your company is willing to give a formerly incarcerated person a chance, contact us at (917) 492-0990, Ext. 208.

Make a Donation:
To make a contribution, please send a check or money order to:
Exodus Transitional Community, Inc.
2271 Third Avenue
New York, NY 10035

Exodus

TRANSITIONAL COMMUNITY, INC.

CHANGING LIVES • RESTORING HOPE

"Our Mission is to provide supportive services to formerly incarcerated men and women in order to help them re-integrate into their communities thereby achieving social and economic wellbeing and breaking the cycle of recidivism."



Location

2271 Third Avenue
New York, New York 10035
(Take #4, #5, or #6 train to 125th Street.
We are located between 123rd and 124th Streets)

Contact Information

TEL: 917-492-0990
FAX: 212-722-6669

Exodus Transitional Community, Inc.

(ETC) is a faith-based, non-profit organization. It was established with the mission of helping formerly incarcerated individuals build stable lives and fully reintegrate into society.

At ETC we apply a holistic service model that addresses the most crucial life areas relating to a person's transition back into community life.

Our overall approach can be divided into three (3) main categories:

- **Supportive Services**
- **Employment Services**
- **Program Services**

The basis of our program is found in our five (5) day Re-entry Orientation Program: "Walking through the Wilderness". Our orientation program

consist of a series of workshops that offer relevant information, strategies and methods intended to promote a successful re-entry. During this orientation new participants are introduced to the ideas and concepts necessary for success; the various aspects of the services we offer; and the basic focus areas of our unique service plan known as the **Exodus Contract**.

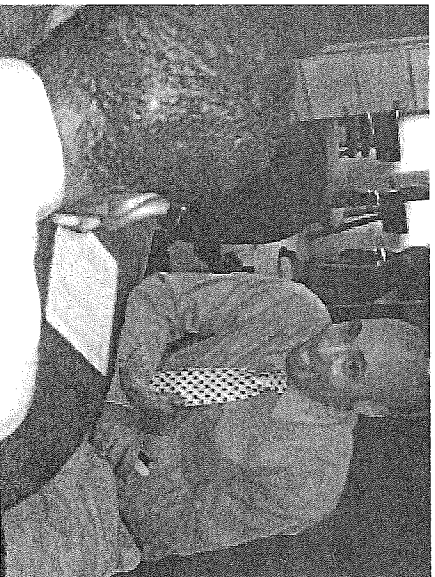


Supportive Services

The Exodus Contract is based upon the idea that success in different areas of a person's life is interconnected. The contract focuses on the following areas:

- **Spirituality**
- **Education**
- **Health and Physical Fitness**
- **Employment**
- **Family and Relationships**
- **Community Service**

Exodus participants set goals in each of these areas with the assistance of their assigned Contract Coaches (Case Managers). With clear steps towards goals in each of these areas, participants now have a realistic and concrete plan for a successful re-entry. Contract Coaches help participants to achieve their goals by providing guidance, support and referrals to community-based services.



Employment Services

The primary focus of our Employment Services is on offering "transferable" job preparation and job placement assistance to the men and women that enter our program. We help our participants to see how the skills and abilities they acquired while incarcerated can be "transferred" into real employment opportunities in today's workforce. Formerly incarcerated individuals face unique obstacles when searching for gainful employment (i.e., the criminal stigma; a lack of, or large discrepancies in employment history; and legal barriers to receiving licenses). Despite these difficulties, at Exodus, we are committed to helping our participants both find and keep a decent job.

After completing our workshop cycle participants will have created a professional resume and cover letter; developed proficient interviewing skills; learned how to respond to questions surrounding their past conviction; possess an understanding of the attitudes and behavior appropriate for the modern workplace; and receive job placement assistance from our job development staff.



EXHIBIT D



Rafael Romero
Office Manager



2271 3rd Avenue | New York | NY 10035
Tel: 917.492.0990 | Fax: 212.722.6669
Email: rromero@etcny.org | www.etcny.org

Confirmation of ETC Participation

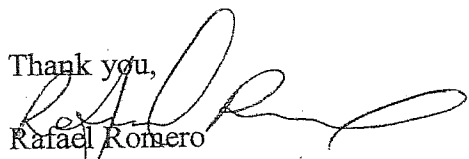
Date: 4/17/2012
Agency: Parole

Re: P.O. Javier Enciso
From: Rafael Romero

This letter is to inform you that Calvin Bacote has been participating in Exodus Transitional Community, Inc. (ETC) for transitional services and assistance. ETC is a non-profit organization that provides an array of services to assist men and women in their transition from incarceration.

Mr. Bacote completed our employment program and while attending our employment program, he signed up our mentoring and employment development program at Abyssinian church. He has also signed himself up to apprentice maintenance at Brooklyn Works. if there is any information that you might need feel free to contact me at (917) 492-0990 ext.213

Thank you,


Rafael Romero
Case Manager

Tel. 917.492.0990 2271 3rd Avenue
Fax: 212.722.6669 New York, NY 10035 www.etcny.org

Executive Staff: Julio Medina, M. Div. *Executive Director* | Diana Ortiz, *Associate Director*

Board of Directors: Rev. Dr. Lonnie McLéod, *President Emeritus* | David Hobert, *Chairperson* | Robert Hall, *Treasurer* | Marion Farrell, *Secretary*
Wayne Atwell | Shannon Bell | Bard E. Buaes | Cynthia Fincher | Tyresse Home Esq. | Dr. Carl Mazza D.S.W.



EXHIBIT E



INTERNATIONAL UNION OF OPERATING ENGINEERS
LOCAL UNION 30, 30-A, 30-B, 30-C, 30-D
115-06 Myrtle Avenue
Richmond Hill, N.Y. 11418
247-C

Local 30 - Apprentice Training
115-06 Myrtle Avenue
Richmond Hill, N.Y. 11418
Application - Apprentice Training

2012

STEPS IN THE APPLICATION PROCEDURE
IMPORTANT -RETAIN THIS SHEET
INFORMATION TO GUIDE YOU DURING THE SELECTION PROCESS

1. Original application must be fully completed. Front and back
2. Applications and questionnaire must be returned with a postmark of no later than April 6, 2012.
by UNITED STATES POSTAL SERVICE CERTIFIED MAIL.
3. The New York State Department of Labor aptitude test will take place after all the above steps have been completed. You will be notified by mail of your day, date, and time of testing.
4. After completion of the aptitude test, you will be notified of your first interview by mail.
5. Three (3) personal references letters matching those listed on your application must be submitted along with the application.
6. After completion of the aptitude test and personal interview, the top 150 candidates will be given a comprehensive mathematics exam by the Local 30 Apprentice Training Department.
7. The following minimum qualifications must be met.
 - a. 18 years of age
 - b. Physically able to perform work (See Attached)
 - c. High school diploma or equivalent¹
 - d. American citizen or have the legal right to work in the United States
 - e. Reliable form of transportation
8. Upon consideration for selection as an apprentice, you will be notified of dates and times of your orientation and physical examination. You must bring (2) passport size photos and verification of education at this time.
9. If you have a change of mailing address, you must contact us, since all notifications are mailed.

FAILURE TO MEET THE ABOVE STEPS WILL RESULT IN DISQUALIFICATION

115-06 Myrtle Ave. • Richmond Hill • New York • 11418
Phone: (718) 847-8484 ext. 228/213/231/235 • Fax: (718) 805-2172



¹If accepted to the program, verification of education must be produced. Verification of education requires high school diploma or G.E.D. along with their corresponding transcripts. Any post high school education classes taken by the applicant should be verified with a certified transcript at the time of acceptance.

Stationary engineers often encounter work environments that are dangerous. In addition, the work itself may require an engineer to be able to perform work under physically challenging and difficult conditions. Below is a list of the types of environments and work that you may encounter during an apprenticeship and during one's professional career; please note that is not, and cannot be, a full list of the environments and work you may have to perform:

- Climbing stairs, ladders, and other means to access boiler room equipment, sometimes in close or confined spaces;
- Standing upright for extended periods of time;
- Using vision to read small numbers and markings on gauges and equipment;
- Using vision and hearing to avoid injury from overhead piping and rotating machinery;
- Communicating orally in a noisy working environment;
- Working in confined spaces in a physical plant, including boiler rooms (e.g. accessing steam drums and fire boxes) or heating and ventilating rooms (e.g. air handlers and plenums) which may be dusty and dark with varying degrees of extreme temperatures;
- Walking over wet and slippery concrete surfaces;
- Working in areas containing gases from the combustion process and strong odors from grease, lubricants, or solvents;
- Lifting heavy metal objects;
- Working with alkaline and acidic chemicals used in boiler water treatment;
- Handling chemicals;
- Being around hazardous materials, such as asbestos and infectious waste, and be physically able to wear PPE (Personal Protection Equipment) including but not limited to a respirator, face shield, and hearing protection.

Name Calvin Dacote
Mailing Address 25 A Earhart Lane
City Bronx State New York Zip 10475
Last 4 Digits of Social Security No. XXX-XX- 7372 Phone No. (347) 957-3330
Cell Phone (347) 957-3330 E-mail CKb718@aol.com
U.S. Citizen yes How long at present address 4 years - 6 months
Former Address 875 Pennsylvania Ave
Brooklyn New York 11207
Have you ever applied for a membership in this union? No This program? No

EDUCATION

Grammar School

Name Jr. high 142 Address 610 Henry St. Brookly NY 11231
Grade Completed 8th grade

High School

Name John Jay H.S Address 237 7th Ave Brookly NY 11215
Grade Completed 11th

Other Schooling

Name Estill Address 100 Prison Rd. Estill, SC 29918
Grade Completed G.E.D
Course(s) _____

Verification of education must be produced at the time of acceptance. Verification of education requires high school diploma or G.E.D. along with their corresponding transcripts. Any post high school education classes taken by the applicant should be verified by certified transcript at the time of acceptance.

PERSONAL REFERENCES

List names and addresses of three persons who are well acquainted with you.

Name Simone Moore Address 21 Mill St. Brooklyn NY 11231
Name Damon Ruiz Address 620 E. 141 St Bronx NY 10454
Name Sheena Cook Address 35 Dwight St. Brooklyn NY 11231

Name James Varick Comm Center Address 151 W. 136th St NY NY 10030

Type of work Custodial From 2/12 To 4/12

Name T*A Beauty Supply Comp Address 127 W. Evans St. Florence SC 29501

Type of work Cashier From 5/04 To 10/05

Name Kon Live LLC Address 3475 Lenox Rd. ATL, GA 30326

Type of work Tour Manager From 2/06 To 5/08

How did you learn of this program? a friend of mine who is in the
union to me about the program. ~~that is the reason~~

Do you intend to make this your Full Time Trade if accepted?

☒ YES ☐ NO

Are you willing to be examined as to your qualifications?

☒ YES ☐ NO

Are you willing to satisfactory complete a prescribed course?

☒ YES ☐ NO

Do you understand that completing this application is not a permit to work at this trade?

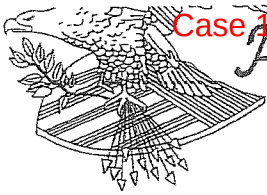
☒ YES ☐ NO

RETURNED

Signed Calvin Bussotti
APPLICANT

DO NOT WRITE BELOW THIS LINE

It is the policy of the International Union of Operating Engineers LOCAL 30 Apprenticeship Training program not to discriminate against any individual because of race, creed, color, religion, national origin, gender, sexual orientation, disability, marital status, age, or arrest records in regard to consideration for participation in the Apprenticeship Training Program and in all phases.



Apprenticeship Training and Skill Improvement Fund

APPRENTICESHIP PROGRAM

2012 QUESTIONNAIRE FORM

APPLICANT'S NAME: Calvin Bacote

CELLPHONE #: 347-957-3330 SOCIAL SECURITY # XXX-XX-7372

E-MAIL ADDRESS: CKb718@aol.com

*** Please print neatly or type each answer to the questions listed below ***

1. Why are you interested in the Training Program?

I heard how the program has helped
other people in the past, I believe it can
help me as well.

2. What qualifications do you possess which you feel will help you in developing your career?

I'm in great physical shape. I have a
work-out schedule to keep my body fit and
prepared to allow me to endure physical
activities. If I don't know something, I'm
quick to learn. Very good at multi task.

that it's a program that will not only secure my future, but also benefit as well. The program teaches me all that I need to know in terms of the knowledge, the wisdom, and understanding, in which gives me the experience in being professional.

4. What is your perception of a Union's obligation to its members?

to secure employment and working conditions.

5. How did you learn about this program?

a friend of mine who work in the union told me about it, and spoke very highly about it.

6. What are your job expectations?

to live up to the means of the Company's reputation.

everything that the program offers

8. Do you fear heights or enclosed places? What are your feelings toward working alone or in hot, cold, or unpleasant environments?

I do not fear heights or enclosed places.

I have no problem working under any Condition. I will adjust to the situation.

9. What are your feelings toward shift work and weekend work?

I'm flexible. I can adjust to meet my work requirements. Work comes first.

10. What type of work have you done in the past?

labor work.

warehouse work, drive forklifts. Tractor Trailers.

Clerical work.

Manager position

Custodial work.

I Set my goals in the beginning of the 3 years that I worked for my employer To Secure a stable living for myself and family. I led by example and not one time was I or my employer late for any meeting. We traveled throughout the Country on Tour.

12. Did you use any special tools or equipment in your previous employment?

music equipment was only required for that Type of work. Heavy lifting, and Consistent moving.

13. Do you have a valid Drivers License? (Copy will be required upon acceptance into the program.)

yes I do.

14. Have you done any volunteer work? (Work without pay for the community or organizations)

yes I have and I will Continue to do so. I've Traveled in the past doing motivational Speaking engagements. A lot of Community Center, Summer Camps for Kids.

Math and Reading are my Strong Points.

16. What are you interests or hobbies?

motivational Speaking - Real Estate (repair)-
and to Secure myself in this program in learning
whats needed for me to Secure a Career from it.

EXHIBIT F



Confirmation of ETC Participation

Date: 7/03/2012

Agency: To whom it may concern

Re: Britney Lawson

From: Rafael Romero

This letter is to inform you that Kelvin Bacote has been participating in Exodus Transitional Community, Inc. (ETC) for transitional services and assistance since March 16, 2011. ETC is a non-profit organization that provides an array of services to assist men and women in their transition from incarceration.

Mr. Bacote calls and speaks to CC at least 3 times a week; He has informed CC this past week, that he just went for his first auction this past Tuesday and Purchase 4 cars as his first investment, CC congratulate him on his accomplishment, also ask how the moving plans coming along He said the plans are moving forward he thinks because his fiancé is the one who's in charge of that department, but they have seen a couple of places but haven't decide on one Apartment as of yet. As of present time Mr. Bacote has made enormous progress, he is making his transition very well, if this type of behavior continues CC will elevate him from weekly contacts to monthly contacts; if there is any more information that you need feel free to contact me at. (917) 492-0990 ext.213

Thank you,


Rafael Romero
Case Manager

Tel. 917.492.0990
Fax.212.722.6669

2271 3rd Avenue
New York, NY 10035 www.etcny.org

Executive Staff: Julio Medina, M. Div. *Executive Director* | Diana Ortiz, *Associate Director*

Board of Directors: Rev. Dr. Lonnie McLeod, *President Emeritus* | David Hobert, *Chairperson* | Robert Hall, *Treasurer* | Marion Farrell, *Secretary*
Wayne Atwell | Shannon Bell | Bard E. Bunea | Cynthia Fincher | Tyresse Horne Esq. | Dr. Carl Mazza D.S.W.
Elisabeth Morse | Felipe Vargas |



EXHIBIT G



TRANSITIONAL COMMUNITY, INC
CHANGING LIVES • RESTORING HOPE

2271 1st Avenue, New York, NY 10035
Tel: 917.492.0700 • Fax: 212.722.6669 • www.ctcmny.org

Employment Verification Form

Today's Date: June 11, 2012
Employee's Name: ~~Robert~~ Calvin Bacote
Employee's Address: 107 W. 104 St.
City, State, Zip: NY NY
SSN: 057 64 7372
Employee's Job Title: Field Sales Rep.
Wage & Commission (specify hourly, weekly, monthly)
Hours worked per week: 28 hours Start Date 5-14-12
Benefits:
☐ Yes
☒ No

Employer Name: Joseph BAKER
Contact Person: 646-696-4155
Telephone: 646-696-4155 Fax: 718-231-7070
Email: JOEBAKER12@yahoo.com
Address: 4053 Boston Road
City, State, Zip: Bronx NY 10466
Authorized employer signature: [Signature]

Please include official company seal/stamp or attach business card below

EXHIBIT H

Route One Luxury Autos

4035 Boston Rd. Bronx, N.Y.

To the Honorable Judge _____ :

This letter is written on the behalf of Calvin Bacote. Mr. Bacote has been employed with Route One Luxury Autos as a sales representative under the supervision of myself Joseph Baker as of May 15, 2012. Although our standard procedures for compensating our representative's salaries are based solely on commission, we are willing to compromise in good faith with giving Mr. Bacote a base salary. As of this past month he has since completed the sale of his first car. We will break down his total commission salary of \$1000.00 into four weekly payments of \$300.00. Mr. Bacote has been working in the field promoting from Monday through Saturday using our company car to attract new customers. On Monday, Wednesday, Friday and Saturday from 11 a.m. to 6 p.m. he has been present at the car lot working diligently and fulfilling tasks bestowed upon him. Mr. Bacote has displayed good work ethics, professional mannerism and excellent interpersonal skills. He is very attentive to client needs and has advanced at an accelerated pace. Adapting well on the car lot and out in the field Mr. Bacote has been a great asset to our company. Although he has not sold a substantial amount of vehicles, that is not what we instill in our employees. We value the quality of workmanship and are willing to help those who are willing to help themselves. Foreseeing great potential within the auto industry, we at Route One Luxury Autos look forward to Mr. Bacote's continuous and steady work progression within our family. We hope that this letter written on his behalf will help him maintain his freedom and continue in his growth in being a productive citizen.

Sincerely

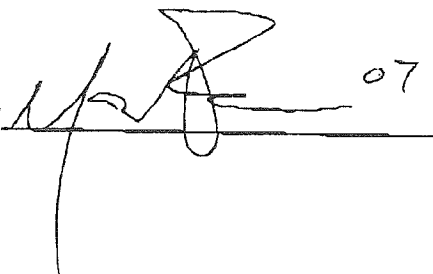
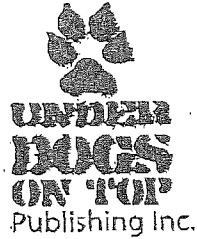
 07 09 2012

EXHIBIT I



**Contractual Conditions and Obligations for The Underdogs on Top Inc.
Dealership Representative**

CONDITIONS AND RULES OF TERMINATION

1. When there's any criminal involvement or act involving the company and its merchandise.
2. When buying vehicles without the Owner's prior knowledge.
3. When selling vehicles without reassignment document through the Owner's knowledge including selling vehicles wholesale.
4. When selling any vehicle at retail price to any civilian.
5. When there's any lost, misplaced, stolen or damaged plate.

AGREEMENT SIGNATURES

Calvin Bacote

Representative Name

Calvin Bacote

Representative Signature

6-27-12

Date

Gary E. Stewart

Owner Name

Gary E. Stewart

Owner Signature

6/27/12

Date

The Underdogs on Top Inc.

EXHIBIT J

Underdogs on Top Incorporated

Gary E. Stewart/CEO

To the Honorable Judge _____:

I am writing this letter in reference to Calvin Bacote. I have known Mr. Bacote for over 20 years. I have witnessed his advances and his setbacks. Aside from his current legal issues I know that there is a better person and great potential within Mr. Bacote. He is willing and ready to change at this point in his life. I take it upon myself to do as much as I possibly can to aid and assist him in his quest to pursue a career in the auto industry. I am well aware of his current job in the retail car sales department. After having a conversation with Mr. Bacote in which he expressed his desires in pursuing a career in this business I offered him the position of chief operator as a wholesale car dealer within my company. I take it upon myself to mentor Mr. Bacote step by step for as long as needed. He has since obtained his dealership license at Manheim Auto Auction to bid on auctioned cars. His salary is a minimum of \$300.00 per week. His duties consist of accompanying me to various auction sites, selecting and bidding on auctioned vehicles, driving the vehicles to our sales site and seeking sales for the purchased vehicles. Mr. Bacote has exuded great workmanship and professionalism. If there is any skepticism of Mr. Bacotes transformation I can assure you this is a changed man. Mr. Bacote has proven this to me through his actions and his commitment to succeed in this field. He has not only transitioned into becoming an active member in society but a legitimately productive one. Mr. Bacote has become a vital asset to my company and I know if given the chance he will flourish. Thank you.

Gary E. Stewart

150 E 44th St. #21C
NYC 10017

718-808-3894

7/5/12

EXHIBIT K

7/1/2012

To Whom It May Concern,

It is without hesitancy that I, Dr. Jermel Kyri Mosley-Isaac, write this account of character of Mr. Calvin D. Bacote. I have known Mr. Bacote for 35 years. Throughout this time our lives have taken different paths. We have recently, February 2012, reconnected in order to collaborate on a Professional Project.

Beginning in late February, early March after his release from prison, I was contacted by Mr. Bacote. It was a pleasant surprise to hear from an old friend. What was very clear from the tone of our initial conversation is that I was speaking to a man, who was broken from his life's experiences. His tone, the pitch of his voice, reflected a soberness of the impact his past choices have had on the people who love him and society.

During our dialogue he shared that he had begun writing a book about his life while incarcerated. He communicated how his deception as a youth with his Mom, enabled him to live a life that led to his near demise. Mr. Bacote explained how he truly wants to use this book to help other parents recognize possible deceit in their own children, and also use it as a tool as he speaks to youth who find themselves making the same poor choices, he made.

The insight I have shared stems from my professional experience. I have spent many years working with troubled youth in both a counseling role in addition to educating them. I am a former Assistant Superintendent of Special Education for Georgia's Student's with Disabilities. The relevance of stating my previous career is due to the fact that Mr. Bacote was classified as student with Special Needs when we were growing up. In our interactions over the last 5 months, I have been encouraged by his passion in sharing his story with the world, and his vulnerability in recognizing his literary shortcomings, and requesting editing assistance.

I have accepted the task of assisting Mr. Bacote in editing his autobiography. This project has allowed us to have meetings face to face and via the telephone to discuss changes to enhance his project. Mr Bacote has demonstrated great patience and teachability. I have witnessed a transformation in his heart and his desire to be different. His goal to be a productive member of society and give back is evident in our interactions.

It is my belief that his time away has been a time of rehabilitation. Mr. Bacote's focus has not strayed backwards. He goes to work daily and continues to press forward to accomplish his goals. There have never been any discussions or even a mere expression of a desire for his past life. What I have witnessed is a sincere remorse and desire to do greater things, to be a positive influence on not just his own children but to the youth he comes in contact with.

Mr. Bacote continues to express a heartfelt desire for a new beginning. It is my hope and prayer that he will be extended this opportunity. The project is moving forward and I look forward to the release of his book this year.

If you have any questions, or need my help in anyway, please do not hesitate to contact me. My phone number is 770-820-1290. You may also email me at kyri@kyizenconsulting.com

Sincerely,

Dr. Jermel "Kyri Mosley-Isaac